

SUSMAN GODFREY L.L.P.

A REGISTERED LIMITED LIABILITY PARTNERSHIP
SUITE 3000
401 UNION STREET
SEATTLE, WASHINGTON 98101-3000
(206) 516-3880
FAX (206) 516-3883
WWW.SUSMANGODFREY.COM

SUITE 5100
1000 LOUISIANA STREET
HOUSTON, TEXAS 77002-5096
(713) 651-9366

SUITE 1400
1900 AVENUE OF THE
LOS ANGELES, CALIFORNIA
(310) 789-3

ALEX AIKEN
DIRECT DIAL (206) 505-3813

October 14, 2022

Via ECF

Hon. Sarah L. Cave
Daniel Patrick Moynihan United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Plaintiffs' letter-motion seeking to file under seal (i) Plaintiffs' Memorandum of Law in Support of Plaintiffs' Motion for Class Certification and Appointment of Class Counsel, (ii) the Declaration of Alexander W. Aiken, and (iii) the accompanying exhibits is GRANTED, and the documents at ECF Nos. 171 and 172 shall remain visible only to the selected parties.

The Clerk of Court is respectfully directed to close ECF No. 170.

SO ORDERED 10/17/22


SARAH L. CAVE
United States Magistrate Judge

Re: *Bernstein v. Cengage Learning, Inc.*, Case No. 1:19-cv-07541-ALC-SLC

Dear Magistrate Judge Cave:

We write on behalf of Plaintiffs Douglas Bernstein, Edward Roy, Louis Penner, and Ross Parke, as personal representative of the Estate of Alison Clarke-Stewart ("Plaintiffs"). Pursuant to the terms of the Stipulated Protective Order (Dkt. 49, ¶ 10) and your Honor's Individual Practice I.G.2., we respectfully seek leave to file 1) Plaintiffs' Memorandum of Law in Support of Plaintiffs' Motion for Class Certification and Appointment of Class Counsel, 2) the Declaration of Alexander W. Aiken, and 3) accompanying exhibits under seal (other than exhibits 1, 2, 3, 4, 12, 13, 40, and 72, which need not be sealed). Plaintiffs' Memorandum of Law and the Declaration quote documents and deposition testimony—the attached exhibits—that Cengage has designated as "Confidential" or "Attorney's Eyes Only." Plaintiffs will file unredacted versions via ECF using the "Selected Parties" viewing level. Plaintiffs take no position as to whether redactions or sealing are appropriate.

Respectfully submitted,



Alexander W. Aiken

Cc: All counsel or record